

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 09-_____
v.	:	DATE FILED: _____
HORACE FULMORE	:	VIOLATION:
EMMETT BRYANT		18 U.S.C. § 371 (conspiracy - 1 count)
DAVIN ROBERSON	:	18 U.S.C. § 1344 (bank fraud - 2 counts)
BRIAN TIMOTHY PERRY		18 U.S.C. § 1028A(a)(1), (c)(5)
LEWIS YANCEY	:	(aggravated identity theft - 26 counts)
		18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Wachovia Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate no. 33869.
2. Lauren Arnold, charged elsewhere, worked as a roving bank teller at Wachovia Bank branches in Philadelphia, Pennsylvania.
3. In the course of her employment at Wachovia Bank, Lauren Arnold had access to confidential customer bank account information, including account holder names, account numbers, addresses, dates of birth, social security numbers, driver's license numbers, account balances, and copies of their signature cards.

4. From in or about August 2008, to in or about October 2008, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**HORACE FULMORE,
EMMETT BRYANT,
DAVIN ROBERSON,
BRIAN TIMOTHY PERRY, and
LEWIS YANCEY,**

conspired and agreed, together and with Lauren Arnold and others, known and unknown to the grand jury, to commit an offense against the United States, that is, to knowingly execute, and attempt to execute, and aid and abet the execution and attempted execution of, a scheme to defraud Wachovia Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Sections 1344 and 2.

MANNER AND MEANS

5. It was part of the conspiracy that Lauren Arnold sold to A.W., a person known to the grand jury, stolen personal identifying information about true bank customers, which A.W. used in concert with others, including defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY, to make and attempt to make unauthorized withdrawals from the true bank customers' accounts, and to negotiate and attempt to negotiate a stolen, counterfeit, and otherwise unauthorized check purportedly made out to the true bank customer, thereby defrauding and attempting to defraud Wachovia Bank of over \$230,000.

It was further a part of the conspiracy that:

6. Lauren Arnold agreed to provide customer account information to A.W., who did not work at the bank, in exchange for money.

7. Lauren Arnold used her position as a teller to gain access to customers' account information, including their names, account numbers, addresses, dates of birth, social security numbers, driver's license numbers, and account balances. She recorded that information on a piece of paper and also printed copies of the customers' signature cards.

8. After recording the customers' account information and printing copies of their signature cards, Lauren Arnold contacted A.W. and told him she had the information he requested.

9. Lauren Arnold then met with A.W. and sold this information to A.W. for a total of \$400.

10. After the sale of the confidential bank customer information to A.W., defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY obtained fraudulent driver's licenses in the names of the victim account holders.

11. Defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY then used the stolen victim account information and fraudulent driver's licenses to make unauthorized withdrawals from the victims' accounts and to cash a stolen, counterfeit, and otherwise unauthorized check made out to one of the victim account holders. Each of the withdrawal slips and the check contained a forged signature.

12. In total, through this scheme, defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY, and others acting in concert with them, obtained and attempted to obtain over \$230,000 from Wachovia Bank.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. In or about August and September 2008, in Philadelphia, Lauren Arnold used the Wachovia Bank computer system to look up the confidential customer account information of true bank customers with the initials A.D., A.A., P.B., T.D., T.B, J.H., A.W.A., and G.A., recorded their names, account numbers, addresses, dates of birth, social security numbers, driver's license numbers, and account balances, and printed a copy of their account signature cards.

2. In or about September 2008, Lauren Arnold sold the stolen customer account information to A.W. for \$400.

3. In or about September 2008, A.W. and others acting in concert with him provided the confidential Wachovia account information about A.D., A.A., P.B., T.D., T.B, J.H., A.W.A., and G.A. to defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY.

4. In or about September 2008, A.W. and defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY, and others acting in concert with them, obtained fake Pennsylvania driver's licenses that contained their own photographs and the names, addresses, and dates of birth of A.D., A.A., P.B., T.D., T.B, J.H., A.W.A., and G.A.

On or about the following dates, defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY performed and attempted to perform the following fraudulent transactions at Wachovia Bank branches using the account information and fake driver's licenses they had obtained in the names of the following true account holders:

OVERT ACT	INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANS-ACTION	TYPE OF TRANS-ACTION	AMOUNT OF TRANS-ACTION
5	A.D.	LEWIS YANCEY	9/18/08	Norristown, PA	check	\$4,250
6	A.D.	EMMETT BRYANT	9/29/08	Chalfont, PA	withdrawal	\$4,500
7	A.D.	EMMETT BRYANT	9/30/08	Easton, PA	withdrawal	\$4,500
8	A.D.	EMMETT BRYANT	9/30/08	Telford, PA	withdrawal	\$4,500
9	A.D.	EMMETT BRYANT	10/1/08	Sicklerville, NJ	withdrawal	\$4,500
10	A.A.	DAVIN ROBERSON	9/23/08	New York, NY	withdrawal	\$5,000
11	A.A.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
12	P.B.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
13	P.B.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
14	T.D.	DAVIN ROBERSON	9/23/08	New York, NY	withdrawal	\$4,000
15	T.D.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
16	T.D.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
17	T.D.	HORACE FULMORE	9/27/08	New York, NY	withdrawal	\$4,000
18	T.D.	HORACE FULMORE	9/30/08	New York, NY	withdrawal	\$9,000

OVERT ACT	INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANS-ACTION	TYPE OF TRANS-ACTION	AMOUNT OF TRANS-ACTION
19	T.B.	BRIAN TIMOTHY PERRY	10/8/08	New York, NY	withdrawal	\$6,500
20	T.B.	BRIAN TIMOTHY PERRY	10/10/08	New York, NY	withdrawal	\$7,000
21	T.B.	BRIAN TIMOTHY PERRY	10/11/08	New York, NY	withdrawal	\$8,000
22	J.H.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
23	J.H.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
24	J.H.	HORACE FULMORE	9/27/08	New York, NY	withdrawal	\$4,000
25	J.H.	HORACE FULMORE	9/30/08	New York, NY	withdrawal	\$9,000
26	J.H.	HORACE FULMORE	10/1/08	New York, NY	withdrawal	\$9,000
27	J.H.	HORACE FULMORE	10/3/08	New York, NY	withdrawal	\$9,000
28	J.H.	HORACE FULMORE	10/4/08	New York, NY	withdrawal	\$9,000
29	J.H.	HORACE FULMORE	10/7/08	New York, NY	withdrawal	\$9,000
30	J.H.	HORACE FULMORE	10/8/08	New York, NY	withdrawal	\$9,000
31	J.H.	HORACE FULMORE	10/9/08	New York, NY	withdrawal	\$9,000
32	J.H.	HORACE FULMORE	10/10/08	New York, NY	withdrawal	\$9,000
33	J.H.	HORACE FULMORE	10/11/08	New York, NY	withdrawal	\$9,000
34	J.H.	HORACE FULMORE	10/15/08	New York, NY	withdrawal	\$9,000
35	J.H.	HORACE FULMORE	10/16/08	New York, NY	withdrawal	\$9,000
36	J.H.	HORACE FULMORE	10/17/08	New York, NY	withdrawal	\$9,000
37	J.H.	HORACE FULMORE	10/18/08	New York, NY	withdrawal	\$9,000
38	A.W.A.	HORACE FULMORE	10/3/08	New York, NY	withdrawal	\$6,000
39	A.W.A.	HORACE FULMORE	10/7/08	New York, NY	withdrawal	\$6,000
40	G.A.	DAVIN ROBERSON	10/24/08	Freehold, NJ	withdrawal	\$5,000
41	G.A.	DAVIN ROBERSON	10/24/08	Freehold, NJ	withdrawal	\$4,000
FOR A TOTAL VALUE OF:						\$235,750

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 12, and Overt Acts 1 through 4 of Count One are incorporated here.

2. From in or about August 2008, through in or about October 2008, in the Eastern District of Pennsylvania, and elsewhere, defendants

**HORACE FULMORE,
EMMETT BRYANT,
DAVIN ROBERSON,
BRIAN TIMOTHY PERRY, and
LEWIS YANCEY**

knowingly executed, attempted to execute, and aided and abetted the execution of, a scheme to defraud Wachovia Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Lauren Arnold sold to A.W. stolen personal identifying information about true bank customers, which A.W. used in concert with others, including defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY, to make and attempt to make unauthorized withdrawals from the true bank customers' accounts, and to negotiate and attempt to negotiate a stolen, counterfeit, and otherwise unauthorized check purportedly made out to the true bank customer, thereby defrauding and attempting to defraud Wachovia Bank of over \$230,000.

On or about the following dates, defendants HORACE FULMORE, EMMETT BRYANT, DAVIN ROBERSON, BRIAN TIMOTHY PERRY, and LEWIS YANCEY

performed and attempted to perform the following fraudulent transactions at Wachovia Bank branches using the identities and account information of A.D., A.A., P.B., T.D., T.B, and A.W.A.:

INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	TYPE OF TRANSACTION	AMOUNT OF TRANSACTION
A.D.	LEWIS YANCEY	9/18/08	Norristown, PA	check	\$4,250
A.D.	EMMETT BRYANT	9/29/08	Chalfont, PA	withdrawal	\$4,500
A.D.	EMMETT BRYANT	9/30/08	Easton, PA	withdrawal	\$4,500
A.D.	EMMETT BRYANT	9/30/08	Telford, PA	withdrawal	\$4,500
A.D.	EMMETT BRYANT	10/1/08	Sicklerville, NJ	withdrawal	\$4,500
A.A.	DAVIN ROBERSON	9/23/08	New York, NY	withdrawal	\$5,000
A.A.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
P.B.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
P.B.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
T.D.	DAVIN ROBERSON	9/23/08	New York, NY	withdrawal	\$4,000
T.D.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
T.D.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
T.D.	HORACE FULMORE	9/27/08	New York, NY	withdrawal	\$4,000
T.D.	HORACE FULMORE	9/30/08	New York, NY	withdrawal	\$9,000
T.B.	BRIAN TIMOTHY PERRY	10/8/08	New York, NY	withdrawal	\$6,500
T.B.	BRIAN TIMOTHY PERRY	10/10/08	New York, NY	withdrawal	\$7,000
T.B.	BRIAN TIMOTHY PERRY	10/11/08	New York, NY	withdrawal	\$8,000
A.W.A.	HORACE FULMORE	10/3/08	New York, NY	withdrawal	\$6,000
A.W.A.	HORACE FULMORE	10/7/08	New York, NY	withdrawal	\$6,000

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS THREE THROUGH ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 12, and Overt Acts 1 through 4 of Count One are incorporated here.

2. On or about the following dates, in the Southern District of New York, and elsewhere, defendant

HORACE FULMORE

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name, date of birth, and social security number of Wachovia Bank customers, identified below, during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	TYPE OF TRANSACTION	AMOUNT OF TRANSACTION
3	A.A.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
4	P.B.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
5	P.B.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
6	T.D.	HORACE FULMORE	9/24/08	New York, NY	withdrawal	\$4,000
7	T.D.	HORACE FULMORE	9/25/08	New York, NY	withdrawal	\$4,000
8	T.D.	HORACE FULMORE	9/27/08	New York, NY	withdrawal	\$4,000
9	T.D.	HORACE FULMORE	9/30/08	New York, NY	withdrawal	\$9,000
10	A.W.A.	HORACE FULMORE	10/3/08	New York, NY	withdrawal	\$6,000
11	A.W.A.	HORACE FULMORE	10/7/08	New York, NY	withdrawal	\$6,000

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

COUNTS TWELVE THROUGH FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 12, and Overt Acts 1 through 4 of Count One are incorporated here.

2. On or about the following dates, in the Eastern District of Pennsylvania, the District of New Jersey, and elsewhere, defendant

EMMETT BRYANT

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name, date of birth, and social security number of Wachovia Bank customer, identified below, during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANS- ACTION	TYPE OF TRANS- ACTION	AMOUNT OF TRANS- ACTION
12	A.D.	EMMETT BRYANT	9/29/08	Chalfont, PA	withdrawal	\$4,500
13	A.D.	EMMETT BRYANT	9/30/08	Easton, PA	withdrawal	\$4,500
14	A.D.	EMMETT BRYANT	9/30/08	Telford, PA	withdrawal	\$4,500
15	A.D.	EMMETT BRYANT	10/1/08	Sicklerville, NJ	withdrawal	\$4,500

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

COUNTS SIXTEEN THROUGH SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 12, and Overt Acts 1 through 4 of Count One are incorporated here.

2. On or about the following dates, in the Southern District of New York, and elsewhere, defendant

DAVIN ROBERSON

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name, date of birth, and social security number of Wachovia Bank customers, identified below, during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	TYPE OF TRANSACTION	AMOUNT OF TRANSACTION
16	A.A.	DAVIN ROBERSON	9/23/08	New York, NY	withdrawal	\$5,000
17	T.D.	DAVIN ROBERSON	9/23/08	New York, NY	withdrawal	\$4,000

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

COUNTS EIGHTEEN THROUGH TWENTY

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 12, and Overt Acts 1 through 4 of Count One are incorporated here.

2. On or about the following dates, in the Southern District of New York, and elsewhere, defendant

BRIAN TIMOTHY PERRY

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name, date of birth, and social security number of Wachovia Bank customer, identified below, during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	INITIALS OF TRUE ACCOUNT HOLDER	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	TYPE OF TRANSACTION	AMOUNT OF TRANSACTION
18	T.B.	BRIAN TIMOTHY PERRY	10/8/08	New York, NY	withdrawal	\$6,500
19	T.B.	BRIAN TIMOTHY PERRY	10/10/08	New York, NY	withdrawal	\$7,000
20	T.B.	BRIAN TIMOTHY PERRY	10/11/08	New York, NY	withdrawal	\$8,000

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

COUNT TWENTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 12, and Overt Acts 1 through 4 of Count One are incorporated here.

2. On or about September 18, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

LEWIS YANCEY

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name, date of birth, and social security number of a Wachovia Bank customer whose initials are A.D., during and in relation to a bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

COUNT TWENTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One is incorporated here.
2. In or about December 2008, in the District of New Jersey, and elsewhere, defendants

EMMETT BRYANT, and LEWIS YANCEY

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud Wachovia Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Defendants EMMETT BRYANT and LEWIS YANCEY obtained information about a true Wachovia Bank customer with the initials J.W.H. and then used that information to make and attempt to make several unauthorized withdrawals from J.W.H.'s Wachovia Bank account while pretending to be J.W.H., thereby defrauding and attempting to defraud Wachovia Bank of over \$30,000.

It was further a part of the scheme that:

4. Without the authorization of J.W.H., defendants EMMETT BRYANT and LEWIS YANCEY obtained the name, home address, date of birth, and Wachovia Bank account number of J.W.H.
5. Defendants EMMETT BRYANT and LEWIS YANCEY used the personal identifying information about J.W.H. that they had obtained without his authorization to obtain

two fraudulent Pennsylvania driver's license that contained the photographs of defendants BRYANT and YANCEY along with the name, home address, and date of birth of J.W.H.

6. On each of the following dates, using the fake driver's licenses they had obtained in the name of J.W.H., the defendants performed and attempted to perform the following fraudulent withdrawals from the Wachovia Bank account of J.W.H. at a Wachovia Bank branch at the following locations:

PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	AMOUNT OF TRANSACTION
LEWIS YANCEY	12/17/08	Atlantic City, NJ	\$4,500
LEWIS YANCEY	12/19/08	Atlantic City, NJ	\$5,500
LEWIS YANCEY	12/22/08	Margate City, NJ	\$5,800
EMMETT BRYANT	12/23/08	Linwood, NJ	\$6,500
LEWIS YANCEY	12/26/08	Margate City, NJ	\$2,500
EMMETT BRYANT	12/26/08	Somers Point, NJ	\$5,000
EMMETT BRYANT	12/26/08	Somers Point, NJ	\$4,000

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS TWENTY-THREE THROUGH TWENTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One and paragraphs 3 through 5 of Count Twenty-Two are incorporated here.
2. On or about the following dates, in the District of New Jersey, and elsewhere, defendant

EMMETT BRYANT

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name and date of birth of a true Wachovia Bank customer with the initials J.W.H., during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	AMOUNT OF TRANSACTION
23	EMMETT BRYANT	12/23/08	Linwood, NJ	\$6,500
24	EMMETT BRYANT	12/26/08	Somers Point, NJ	\$5,000
25	EMMETT BRYANT	12/26/08	Somers Point, NJ	\$4,000

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

COUNTS TWENTY-SIX THROUGH TWENTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One and paragraphs 3 through 5 of Count Twenty-Two are incorporated here.
2. On or about the following dates, in the District of New Jersey, and elsewhere, defendant

LEWIS YANCEY

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the name and date of birth of a true Wachovia Bank customer with the initials J.W.H., during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	PERSON PERFORMING TRANSACTION	DATE	LOCATION OF TRANSACTION	AMOUNT OF TRANSACTION
26	LEWIS YANCEY	12/17/08	Atlantic City, NJ	\$4,500
27	LEWIS YANCEY	12/19/08	Atlantic City, NJ	\$5,500
28	LEWIS YANCEY	12/22/08	Margate City, NJ	\$5,800
29	LEWIS YANCEY	12/26/08	Margate City, NJ	\$2,500

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 371, 1344, and 2, set forth in Counts One and Two of this indictment, defendants

**HORACE FULMORE,
DAVIN ROBERSON, and
BRIAN TIMOTHY PERRY**

shall forfeiture to the United States of America any property that constitutes, or is derived from, proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of \$183,500.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Sections 928(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 371, 1344, and 2, set forth in Counts One, Two, and Twenty-Two of this indictment, defendants

EMMETT BRYANT, and LEWIS YANCEY

shall forfeiture to the United States of America any property that constitutes, or is derived from, proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of \$214,800.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Sections 928(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other

property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

**MICHAEL L. LEVY
UNITED STATES ATTORNEY**